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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

12 AARON SPERSKE,
13 Plaintiff,
14 v.
15 ARIEL ROSENBERG et al.,
16 Defendants.

Case No. 2:12-cv-7034-ODW(JCx)

**ORDER TO SHOW CAUSE RE
LACK OF PROSECUTION**

17 On September 24, 2012, the Court issued an Order to Show Cause why Plaintiff
18 failed to file a noticed motion for default judgment against the defaulted Defendants
19 Ariel Pinks Haunted Graffiti and Kwang Nam Koh. (ECF No. 18.) Further, the Court
20 notes that Plaintiff failed to submit a request for entry of default against Defendant
21 Ariel Rosenberg. Plaintiff responded to the Court's Order by suggesting that more
22 time and discovery was needed to ascertain the damages in this case. (ECF No. 20.)


23 Defendants Ariel Pinks Haunted Graffiti and Kwang Nam Koh have defaulted.
24 Logically, a defaulting Defendant is unlikely to respond to Plaintiff's discovery, given
25 the fact that they cared not to answer Plaintiff's Complaint. Accordingly, the Court
26 denies Plaintiff's request for additional time to ascertain his damages.

27 Plaintiff is hereby **ORDERED TO SHOW CAUSE** why this case should not
28 be dismissed for lack of prosecution. Plaintiff shall file a noticed motion for default

1 judgment against Defendants Ariel Pinks Haunted Graffiti and Kwang Nam Koh.
2 And as for Defendants Ariel Rosenberg and Kenneth John Gilmore (assuming he does
3 not respond in time), Plaintiff shall file a request for entry of default. Plaintiff shall
4 file all of these papers no later than October 19, 2012. No hearing is scheduled.
5 Failure to follow this order will result in dismissal of this case.

6 **IT IS SO ORDERED.**

7
8 October 4, 2012

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11 **OTIS D. WRIGHT, II**
12 **UNITED STATES DISTRICT JUDGE**
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